



U.S. Department of Justice

United States Attorney
Eastern District of New York

JJD
F.#2010R00014

United States Attorney's Office
610 Federal Plaza
Central Islip, New York 11722-4454

April 1, 2011

By ECF Only

ALL COUNSEL OF RECORD

Re: United States v. Prado et al.
Criminal Docket No. 10-074 (S-3) (JFB)

Dear Counsel:

Upon execution and return of the stipulation that is attached hereto as Exhibit 1, the government will provide you with draft copies of certain transcripts and/or summaries of recorded telephone conversations and/or meetings involving the following defendants: ELENILSON ORTIZ, FRANCISCO RAMOS, JOSE GUSTAVO ORELLANA-TORRES, MARIO ALPHONSO HERRERA-UMANZOR, ADALBERTO ARIEL GUZMAN and RENE MENDEZ MEJIA. As set forth in the attached stipulation, the transcripts and summaries are subject to the Protective Order signed by United States District Judge Joseph F. Bianco on September 20, 2010.

If you have any questions, please do not hesitate to contact me.

Very truly yours,

LORETTA E. LYNCH
United States Attorney

John J. Durham
Assistant U.S. Attorney
(631) 715-7851

Attachments

cc: Clerk of the Court (JFB) (By ECF)

EXHIBIT 1

JJD
F.#2010R00014

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

STIPULATION

- against -

10-CR-074 (S-3) (JFB)

PRADO ET AL.,

Defendants.

- - - - - X

The parties hereby STIPULATE AND AGREE as follows:

1. The transcripts and summaries of recorded conversations that are being produced during the discovery period of this case are draft documents and will not be introduced, quoted from or relied upon by either party for any purpose at any proceeding in the above-captioned case, including cross-examination of any witnesses.

2. The transcripts and summaries are "Rule 16 Materials," as that phrase is defined in the September 20, 2010 Protective Order signed by United States District Judge Joseph F. Bianco, a copy of which is attached hereto. Thus, the transcripts and summaries are subject to the restrictions set forth in that Protective Order.

3. The transcripts and summaries, including all copies of the same, whether in the possession of defense counsel or others acting under the direction of defense counsel, will be

returned to the United States when final transcripts are provided by the United States.

Dated: _____, 2011
Central Islip, New York

LORETTA E. LYNCH
United States Attorney
Eastern District of New York

By: _____
John J. Durham
Assistant U.S. Attorney
(631) 715-7851

AGREED AND STIPULATED TO:

, Esq.

Attorney for _____

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

- - - - - X

UNITED STATES OF AMERICA

O R D E R

- against -

Cr. No. 10-CR-074 (S-2) (JFB)

PRADO et al.,

Defendants.

- - - - - X

Upon the application of LORETTA E. LYNCH, United States Attorney for the Eastern District of New York, by Assistant United States Attorney JOHN J. DURHAM, it is hereby:

ORDERED that counsel for the defendants, or anyone acting under the direction of defense counsel, may not reproduce, distribute or otherwise disseminate the materials provided pursuant to Rule 16 of the Federal Rules of Criminal Procedure in connection with the above-referenced matter that disclose the identity of confidential informants or cooperating defendants (the "Rule 16 Materials"), including without limitation audio and video recordings. When disclosed by the government to defense counsel, the Rule 16 Materials, which are subject to this Order, will be marked or noted as "Subject to Protective Order";

ORDERED that the defendants not be permitted to bring the Rule 16 materials, or copies thereof, back to the institutions where they are incarcerated, except the defendants may review the Rule 16 Materials provided to those institutions

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by the government, at the direction of the Court, in the areas designated by the institutions, but in no event shall the defendants be permitted to remove the Rule 16 Materials from the designated areas or retain copies of those materials; and

ORDERED that nothing in this Order shall prohibit: (a) defense counsel from reproducing and sharing the Rule 16 Materials with others acting under the direction of defense counsel; or (b) defense counsel, or others acting under the direction of defense counsel, from displaying or discussing the content of such Rule 16 Materials with other persons; provided however, that the restrictions set forth in this Order shall apply to those individuals acting under the direction of defense counsel.

Dated: Central Islip, New York
September 20, 2010

THE HONORABLE JOSEPH F. BIANCO
UNITED STATES DISTRICT JUDGE
EASTERN DISTRICT OF NEW YORK